



United States
**Office of
Personnel Management**

Washington, DC 20415-0001

Rita Brown

In Reply Refer To:

Your Reference:

Ms. Ellen E. Tunstall
Acting Deputy Under Secretary
Office of the Deputy Under Secretary of Defense
Civilian Personnel Policy
4000 Defense Pentagon
Washington, DC 20301-4000

FEB 9 2005

Dear Ms. Tunstall:

The Office of Personnel Management (OPM) Director Kay Coles James has approved your request of December 10, 2004, on behalf of the Department of Army for direct-hire authority (DHA) for Forensic Biologist positions, GS-0401-09 through 13 located at the U.S. Army Criminal Investigation Laboratory (USACIL), Fort Gillem, GA. This letter establishes a new DHA (DOD-002) based on a severe shortage of candidates as defined in 5 CFR 337.202(b).

You provided the following evidence that demonstrates a severe shortage of candidates:

- USACIL must hire approximately 20 Forensic Biologists in 2005 and 2006 to reduce DNA testing turnaround times from 126 calendar days to 45 calendar days as recommended by the DoD Task Force on Sexual Assault;
- According to recent Bureau of Justice Statistics there are approximately 2000 Forensic Biologists nationwide and fewer qualified to conduct DNA processing or process forensic evidence in sexual assault investigations;
- USACIL has worked with the Defense Applicant Assistance Office to attract qualified candidates using broad recruiting and advertising venues and offering recruitment, retention and relocation bonuses, which have not generated a sufficient number of Forensic Biologists to meet its increased hiring demand and mission requirements; and
- During the past year USACIL advertised approximately 36 vacancies with only 18 being filled and of these vacancies 10 were advertised three times at grades GS-9 through GS-13 and produced only three external applicants who were not well qualified and did not meet the specialized requirements of these positions.

Under 5 CFR 337, subpart B, OPM hereby grants DHA DOD-002, which reads:

DOD-002 issued on the date of this letter to hire Forensic Biologist positions, GS-0401, at grades 09 through 13 located at Fort Gillem, GA, which require qualifications in DNA analysis or experience processing forensic evidence in sexual assault investigations. This authority is based on a severe shortage of candidates and the need to fill vacancies quickly. **This authority expires on December 31, 2006.**

Using this DHA

USACIL may use DOD-002 to fill vacant competitive service positions described therein by temporary, term or permanent appointment without regard to provisions of 5 U.S.C. 3309 through 3318 or 5 CFR part 211 and part 337, subpart A. Hiring under a DHA is subject to public notice requirements in 5 U.S.C. 3327 and 3330 and 5 CFR part 330, including the displaced employee procedures found at 5 CFR part 330, subpart G, and requirements in 5 CFR 332.407. In addition, we note merit-system principles, prohibited personnel practices, and other merit-system requirements and protections in other sections of title 5 U.S.C. and other parts of title 5 CFR apply to these appointments. Further, OPM encourages USACIL to make employment offers to well-qualified applicants with veterans' preference whenever possible.

USACIL may use this DHA to appoint candidates with written employment offers dated on or before November 30, 2006. USACIL must use two authority codes when documenting personnel actions using this DHA. The first code "AYM" automatically fills in "Reg. 337.201" on the Notification of Personnel Action, Standard Form (SF) 50. The second authority code "BYO" identifies your use of an agency-specific authority. Using these two authority codes will help us evaluate the use without requiring agency reports.

OPM Oversight

On a periodic basis, OPM will review the use of DHAs to ensure each is being used properly and to determine if the continued use of the authority is still supportable. DOD-002 has an ending date because the availability of candidates may change overtime. OPM may withdraw this authority upon notice for any reason. DOD may request an extension by providing information that demonstrates continuing vigorous recruitment efforts, appropriate use of other hiring flexibilities such as recruitment and relocation incentives, and a continuing severe shortage of candidates.

We hope this authority will help you quickly fill these critical positions. If you have questions about this authority, please contact Rosemary Downing on (202) 606-1299 or by email at Rosemary.Downing@opm.gov or Darlene Phelps on (202) 606-1730 or by email at Darlene.Phelps@opm.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Sanders", written over a horizontal line.

Ronald P. Sanders
Associate Director
Division for Strategic Human Resources Policy